

06-20-2000



101384594

and original documents or copy thereof.

To the Honorable Commissioner of Patents and Trademarks

1. Name of conveying party(ies):

Borden Foods Investments Corporation
Suite 202
One Little Falls Centre
Wilmington, DE 19808

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State **Delaware**
☐ Other

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other **See Attached Sheet for Correction Information**

Execution Date: **Effective October 1, 1996**

2. Name and address of receiving party(ies):

Name: **BFC Investments, L.P.**

Internal Address: **Suite 202**

Street Address: **One Little Falls Centre**

City: **Wilmington** State: **DE** ZIP: **19808**

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☒ Limited Partnership **Delaware**
☐ Corporation-State
☐ Other

If assignee is not domiciled in the United States, a domestic designation is ☐ Yes ☒ N
(Designations must be a separate document from
Additional name(s) & address(es) ☐ Yes ☒ N

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,051,680

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Cory M. Amron, Esquire**

Internal Address: **Vorys Sater Seymour and Pease LLP**

Street Address: **1828 L Street, N.W.**

11th Floor

City: **Washington** State: **DC** ZIP: **20036**

6. Total number of applications and registrations involved: **1**

7. Total fee (37 CFR 3.41): \$ **\$40.00**

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

02-2270

DO NOT USE THIS SPACE

06/19/2000 DC0ATES 00000177 022270 2051680

01 FC:481 40.00 CH

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Cory M. Amron

Name of Person Signing

Signature

May 31, 2000

Date

Total number of pages including cover sheet, attachments, and

7

Attachment to Recordation Cover Sheet

Name of Conveying party(ies):

Borden Foods Investments Corporation
Suite 202
One Little Falls Centre
Wilmington, DE 19808

Name of Receiving party(ies):

BFC Investments, L.P.
Suite 202
One Little Falls Centre
Wilmington, DE 19808

Nature of conveyance:

Document previously recorded on Reel/Frame No. 1875/0195 contained an error- Registration No. 2,052,680. Document re-recorded to correct error on stated reel. The correct registration number is 2,051,680.

03/30/99 10:00

TS702 308 7031

PTO/STATUS BR.

MAN 3-18-99

UNOFF

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

03-30-1999

SMCF
OFFICE

03-18-1999

U.S. Patent & Trademark Office
1000 K Street, N.W., Suite 1000
Washington, D.C. 20004

U.S. Patent and Trademark Office, Please record the date

100997738

1. Name of conveying party(ies):
Borden Foods Investments Corporation
Suite 202
One Little Falls Centre
Wilmington, DE 19808

☒ Individual(s) ☐ Association
☒ General Partnership ☐ Limited Partnership
☐ Corporation-State
☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other None Pro Tunc
Effective October 1, 1996

Exclusion Date:

2. Name and address of receiving party(ies)

Name: BFC Investments, L.P.

Internal Address:

Suite 202
Street Address: One Little Falls Centre

City: Wilmington State: DE ZIP: 19808

☐ Individual(s) citizenship

☐ Association

☐ General Partnership

☒ Limited Partnership Delaware

☐ Corporation-State

☐ Other

If security is not disclosed in the (United States) or foreign recordation assignment is attached? ☐ Yes ☒ No

(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)
75/016,987

B. Trademark Registration No.(s)

2,026,782
2,052,680
2,042,669

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Karla J. Vinay

Internal Address:

Vorys, Sater, Seymour and Pessio LLP
Street Address:

32 East Gay Street

City: Columbus State: OH ZIP: 43215

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41) \$215.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

02-2270

Please duplicate copy of this page if paying by deposit account

DO NOT USE THIS SPACE

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Karla J. Vinay
Name of Person Signing

Signature

Total number of pages including cover sheet, attachments, and documents

5

3/17/99
Date

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

03/23/99-JERRAZ 9000214 75016987

FE-61
FE-62

40.00 CH
175.00 CH

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

TRADEMARK
REEL: 1875 FRAME: 0195

TRADEMARK
REEL: 002089 FRAME: 0388

ASSIGNMENT NUNC PRO TUNC

WHEREAS, BORDEN FOODS INVESTMENTS CORPORATION, a Delaware Corporation having its principal place of business at Suite 202, One Little Falls Centre, 2711 Centerville Road, Wilmington, Delaware 19808, ("hereinafter called "the Assignor") is the owner of the trademarks now registered and for which application is now pending and listed on the attached Schedule A ("Trademarks") in the United States Patents and Trademarks Office as set forth on such Schedule A.

WHEREAS, BFC INVESTMENTS, L.P., a Delaware Corporation having its principal place of business at Suite 202, One Little Falls Centre, 2711 Centerville Road, Wilmington, Delaware 19808, ("hereinafter called the "Assignee"), is desirous of acquiring said Trademarks and the registrations and applications therefor;

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, said BORDEN FOODS INVESTMENTS CORPORATION, does hereby assign unto said BFC INVESTMENTS, L.P., nunc pro tunc as of October 1, 1996, all right, title, and interest in the United States in and to said trademarks, together with the goodwill of the business as symbolized by said trademarks and the registrations and applications therefor.

Assignor and Assignee acknowledge that this Assignment of the trademarks is made subject to the terms of Paragraph 2.1 (a) (iii) of that Conveyance and Transfer Agreement made by and among, inter alia, Assignor and Assignee dated as of October 1, 1996.

IN WITNESS WHEREOF, Assignor and Assignee have caused this assignment to be executed effective as of October 1, 1996.

BORDEN FOODS INVESTMENTS CORPORATIONBy: Phyllis R. YeatmanPhyllis R. Yeatman
President**TRADEMARK**
REEL: 1875 FRAME: 0196**TRADEMARK**
REEL: 002089 FRAME: 0389

STATE OF Delaware)
) SS
COUNTY OF New Castle)

On this 15th day of March 1999, before me personally appeared Phyllis R. Yeatman, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BORDEN FOODS INVESTMENTS CORPORATION, the Assignor above named.

(SEAL)

John W. Kendall
Notary Public

My Commission Expires: 1-15-2000

BFC INVESTMENTS, L.P.

By: BORDEN FOODS CORPORATION, its Managing General
Partner

By: Phyllis R. Yeatman
Phyllis R. Yeatman
Assistant Secretary

STATE OF Delaware)
) SS
COUNTY OF New Castle)

On this 15th day of March 1999, before me personally appeared Phyllis R. Yeatman, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BFC INVESTMENTS, L.P., the Assignee above named.

(SEAL)

John W. Kendall
Notary Public

My Commission Expires: 1-15-2000

Trademarks on Assignment from BORDEN FOODS INVESTMENTS CORPORATION to BFC INVESTMENTS, L.P. (United States)

| TRADEMARK | STATUS | APP. NUMBER | FILE DATE | REG. NUMBER | REG. DATE | COUNTRY NAME | CLASS | GOODS |
|-----------|--------|-------------|-----------|-------------|-----------|--------------|-------|-------|
|-----------|--------|-------------|-----------|-------------|-----------|--------------|-------|-------|

CREATE WITH
CREAMETTE

PENDING 75/162027 24-DEC-1986

UNITED STATES OF 30
AMERICA

MACARONI, SPAGHETTI,
VERMICELLI, RINGS,
LIMONCELLO, SHELLS,
LINGUINE, LASAGNA, WIDE
RIBBONS, YOLK-FREE DUMPLING,
PEPPER RIGATE, MOSTACCIOLI,
RIGATONI, ZITI, PASTA NUGGETS,
HOTELS, WHEELS, RAINBOW
PASTA, MANICOTTI, EGG
NOODLES, SPINACH RIBBONS,
MILK, EXTRA-WIDE NOODLES
AND MACARONI AND CHEESE

EVERY DAY'S
PRINCE PASTA DAY

REGISTERED 75/015747 07-NOV-1995 2028782

31-DEC-1998 UNITED STATES OF 30
AMERICA

PASTA, NAMELY SPAGHETTI,
MACARONI, ZITI, VERMICELLI,
LINGUINE, RIGATONI, SHELLS,
DITALINI, MEZZANI,
MACCARONICELLI,
ALFARRETS, ACINI DE PEPE,
TUBETTINI, ORZO, MOSTACCIOLI,
ROTINI, RADIATORE, CAVATELLI,
FUSILLI, MANICOTTI, SHELLS
AND CHEDDAR, TWISTS AND
CHEDDAR, MACARONI AND
CHEESE, FETTUCCINE, EGG
NOODLES, RIBBONI, ANGEL HAIR

ITALIAN MEDLEY

REGISTERED 74/871,359 08-MAY-1985 2,051,580

08-APR-1997 UNITED STATES OF 30
AMERICA

PASTA

MISCELLANEOUS
DESIGN (MASON JAR)

REGISTERED 74/822,211 09-FEB-1985 2,042,839

11-MAR-1997 UNITED STATES OF 30
AMERICA

SAUCES, WITH THE EXCEPTION
OF APPLE SAUCE AND
CRANBERRY SAUCE IN
INTERNATIONAL CLASS 30

Vorys, Sater, Seymour and Pease, LLP 3/7/09

TRADEMARK
REEL: 1875 FRAME: 0198

TRADEMARK
REEL: 002089 FRAME: 0391

| TRADEMARK | STATUS | APP. NUMBER | FILE DATE | REG. NUMBER | REG. DATE | COUNTRY NAME | CLASS | GOODS |
|-----------|--------|-------------|-----------|-------------|-----------|--------------|-------|-------|
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|--------|------------|------------|-------------|-----------|-------------|--------------------------|----|---|
| NOVITA | REGISTERED | 75/083,822 | 01-MAR-1990 | 2,095,877 | 09-SEP-1997 | UNITED STATES OF AMERICA | 30 | PASTA; PASTA AND SAUCES IN CONSERVATION |
|--------|------------|------------|-------------|-----------|-------------|--------------------------|----|---|

| | | | | | | | | |
|-------------------------|---------|------------|-------------|-----------|-------------|--------------------------|----|----------------------------|
| SPAGHETTINI DI SORRENTO | PENDING | 74/572,350 | 12-SEP-1994 | 2,019,168 | 12-NOV-1998 | UNITED STATES OF AMERICA | 29 | ENRICHED MACARONI PRODUCT. |
|-------------------------|---------|------------|-------------|-----------|-------------|--------------------------|----|----------------------------|

| | | | | | | | | |
|-----------------|---------|---------|-------------|---------|-------------|--------------------------|----|--|
| VIVA (STYLIZED) | RENEWED | 384,907 | 08-JUL-1970 | 914,165 | 03-JUN-1971 | UNITED STATES OF AMERICA | 30 | MACARON, NOODLES AND SPAGHETTI SAUCES, BOTH MEATLESS AND MEAT-CONTAINING (US CLASS 46) |
|-----------------|---------|---------|-------------|---------|-------------|--------------------------|----|--|

Vorys, Sator, Seymour and Pease, LLP 3/17/99
0917-09-3745-015

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RECORDED: 03/18/1999

TRADEMARK
REEL: 1875 FRAME: 0199

TRADEMARK
REEL: 002089 FRAME: 0392

D\$

Vorys, Sater, Seymour and Pease LLP

1828 L Street NW • Eleventh Floor • Washington, D.C. 20036-5109 • Telephone (202) 467-8800 • Facsimile (202) 467-8900

Cory M. Amron
Direct Dial (202) 467-8810
Facsimile (202) 467-8900
E-Mail: cmanron@vsssp.com



May 31, 2000

U.S. Patent and Trademark Office
Assignment Division
Box Assignments
North Tower Building; Suite 10C35
Washington, D.C. 20231

**Re: Correction to Assignment Recorded at Reel/Frame No. 1875/0195
Our Ref. No.: 46156-00002**


Dear Sir/Madam:

I am writing to request a correction to the assignment recorded at Reel 1875; Frame 0195 recorded on March 18, 1999. Among the assigned trademarks recorded was IOTA; Registration Number 2,052,680. The trademark that should have been recorded is ITALIAN MEDLEY; Registration Number 2,051,680. The mistake in recordation was due to a typographical error on the Cover Sheet on the original document. Please correct the record to reflect the assignment of the ITALIAN MEDLEY registration rather than the IOTA registration. I have enclosed a copy of the Notice of Recordation of Assignment Document, as well as a new Cover Sheet to reflect the correct registration number.

We would like you to please charge our client's Deposit Account No. 02-2270 in the appropriate amount to cover the filing fees and any other costs involved for recording these documents.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Cory M. Amron

CMA/bh
Enclosure

cc: Susan Progoff, Esquire

05/31/00 - 612204

RECORDED: 05/31/2000

**TRADEMARK
REEL: 002089 FRAME: 0393**